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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

ILIANNA VIERA,
Defendant.

CASE NO: 2:21-cr-00300-RFB-DJA

**STIPULATION TO CONTINUE
SENTENCING**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by ILIANNA VIERA, by and through her attorney, RACHAEL E. STEWART, ESQ., and the United States of America, by and through KIMBERLY SOKOLICH, ESQ., Assistant United States Attorney, that the sentencing hearing scheduled for October 24, 2022, be continued for a period of ninety (90) days, to a date and time convenient to this Honorable Court.

The request for a continuance is based upon the following:

1. Defense Counsel is still in the process of gathering mitigation information that needs to be presented to the Court prior to sentencing.
2. The Government has no objection to the continuance.
3. Ms. Viera is out of custody, and she does not object to the continuance.
4. The additional time requested herein is not sought for purposes of delay.

1 5. Additionally, denial of this request for continuance could result in a
2 miscarriage of justice.

3 DATED: October 19, 2022

4 Respectfully submitted,

5 /s/ Rachael E. Stewart
6 Rachael E. Stewart, Esq.
7 Counsel for Ilianna Viera

/s/ Kimberly Sokolich
Kimberly Sokolich, Esq.
Assistant United States Attorney
Counsel for the United States of America

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**UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,
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ORDER

(First Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Defense Counsel is still in the process of gathering mitigation information that needs to be presented to the Court prior to sentencing.
2. The Government has no objection to the continuance.
3. Ms. Viera is out of custody, and she does not object to the continuance.
4. The additional time requested herein is not sought for purposes of delay.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to prepare for the sentencing hearing effectively and thoroughly, taking into account the exercise of due diligence.

ORDER

IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for October 24, 2022, at the hour of 10:00 a.m. be vacated and continued to the 26th day of January, 2023, at the hour of 10:00 AM in LV Courtroom 7C.

DATED AND DONE this 21st day of October, 2022.



RICHARD F. BOULWARE, II
UNITED STATES DISTRICT JUDGE